

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

JOSE FELICIANO, ET AL.,

Plaintiffs,

v.

Civ. No. 04-1809(PG)

VALSYN, S.A.,

Defendants.

ORDER

Before the Court is Chief Magistrate Judge Justo Arenas' Report and Recommendation ("R&R") (Docket No. 110) regarding defendant The Estate of Gerald Masucci's Motion to Dismiss for Lack of Jurisdiction. (Docket No. 90.)

The Magistrate Judge concluded that the Estate of Gerald Masucci was not a successor in interest to defendant Valsyn, S.A., and therefore, the Court did not have jurisdiction over the Estate. Accordingly, he recommends granting the latter's motion and dismissing the complaint against it¹. The parties have failed to file objections to the Magistrate Judge's R&R and have thus waived their right to a *de novo* review by the Court. See Davet v. Maccarone, 973 F.2d 22, 30-31 (1st Cir.1992). See also Alamo Rodriguez v. Pfizer Pharmaceuticals Inc., 286 F.Supp.2d 144, 146 (D.P.R.2003) (quoting Templeman v. Chris Craft Corp., 770 F.2d 245, 247 (1st Cir.1985), cert. denied, 474 U.S. 1021(1985).

Having carefully reviewed the exhaustive and itemized R&R, as well as the record of the case, the Court finds no reason to depart from the Magistrate Judge's sound findings and conclusions. Accordingly, the Court **ADOPTS** the R&R (**Docket No. 110**), **GRANTS** defendant's motion (**Docket No. 90**), and dismisses the complaint against the Estate of Gerald Masucci.

IT IS SO ORDERED.

In San Juan, Puerto Rico, December 12, 2006.

S/JUAN M. PEREZ-GIMENEZ
U. S. DISTRICT JUDGE

¹ The Magistrate Judge also found that this court was an improper venue for the Estate and that the plaintiffs had failed to state a claim against the Estate upon which relief could be granted.